

Bonnie Lowenthal, 1st District  
Vacant, 2nd District  
Frank Colonna, 3rd District  
Patrick O'Donnell, 4th District



Jackie Kell, Vice Mayor, 5th District  
Laura Richardson, 6th District  
Tonia Reyes Uranga, 7th District  
Rae Gabelich, 8th District  
Val Lerch, 9th District

Gerald R. Miller, City Manager  
Larry G. Herrera, City Clerk

Beverly O'Neill, Mayor

Robert E. Shannon, City Attorney

**PROCLAMATION PRESENTED FOR  
ASTHMA AWARENESS DAY  
MAY 2, 2006**

**YELLOW RIBBON AMERICA  
PRESENTATION  
BY  
NATIONAL GUARD ASSOCIATION OF CALIFORNIA**

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

**HEARINGS:**

1. [05-3278](#) Recommendation that City Council continue for thirty (30) days the hearing regarding the administrative appeal of the denial of Business License Application No. BU20520890 for Rancho Meat Market #3, located at 225 W. Anaheim Street, Long Beach, 90813. (District 1)

[see media](#)

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

**Attachments:** [C-12 sr](#)  
[C-12 att](#)  
[C-10sr](#)  
[H-1sr](#)  
[H-1att](#)  
[CH-1 att.pdf](#)  
[CH-1 sr.pdf](#)  
[CH-1sr](#)  
[CH-1att](#)

2. [06-0361](#) Recommendation to receive the supporting documentation into the record, conclude the hearing and declare the Ordinance, changing the zoning from a Regional Highway Commercial District (CHW) to a Commercial Storage District (CS) for a portion of an existing self-storage facility at 4100 Cherry Avenue, read the first time and laid over to the next regular meeting of City Council for final reading (Case No. 0512-30). (District 7)

[see media](#)

**Office or Department:** PLANNING COMMISSION; PLANNING AND BUILDING

**Suggested Action:** Approve recommendation.

**Attachments:** [H-2sr](#)  
[H-2att](#)  
[ORD-22.pdf](#)

## **PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK**

Opportunity to address the City Council (on non-agenda items) is given to the first 10 persons who submit Speaker Cards to the City Clerk beginning at 15 minutes prior to 5:00 p.m. Each speaker is allowed three minutes to make their comments.

## **NOTICE TO THE PUBLIC**

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

## **CONSENT CALENDAR: (3 - 16)**

3. [06-0356](#) Recommendation to authorize City Attorney to submit Compromises and Releases for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$100,000 for the claim of Nicholas Bachert; and \$7,500 for the claim of Sherryl Myles-Edwards in compliance with the Appeals Board Orders.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

**Attachments:** [C-3sr](#)

4. [06-0357](#) Recommendation to authorize City Attorney to submit Stipulations with Requests for Awards for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$8,046.50 for claim of David Bachman; \$52,216.25 for claim of John Huffman; \$29,155 and \$38,675 for claim of Levon Powell; authority to pay \$77,376.25 and \$25,900, and a lump sum of \$7,000 to resolve a disputed claim for total temporary disability for Eugene Willingham; and \$6,475 for claim of Dennis Zigrang in compliance with the Appeals Board Order.

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

**Attachments:** [C-4sr](#)

5. [06-0366](#) Recommendation to authorize City Manager to execute an agreement with Legal Counsel Taubman, Simpson, Young, & Sulentor in the matter entitled, Thomas Lee Goldstein vs. City of Long Beach, et al., Case No. CV 04-9692 AHM (Ex).  
**Office or Department:** CITY ATTORNEY  
  
**Suggested Action:** Approve recommendation.  
**Attachments:** [C-5sr](#)
6. [06-0363](#) Recommendation to receive and file the results of a review of the operation and accounting records of certain tenants of the Port of Long Beach.  
**Office or Department:** CITY AUDITOR  
  
**Suggested Action:** Approve recommendation.  
**Attachments:** [C-6sr](#)  
[C-6att](#)
7. [06-0311](#) Recommendation to refer to City Attorney damage claims received between April 13, 2006 and April 27, 2006.  
**Office or Department:** CITY CLERK  
  
**Suggested Action:** Approve recommendation.  
**Attachments:** [C-7sr](#)  
[C-7att](#)
8. [06-0368](#) Recommendation to approve the destruction of records for the Water Department sections as shown in Attachment 1; and adopt the resolution.  
**Office or Department:** CITY CLERK  
  
**Suggested Action:** Approve recommendation.  
**Attachments:** [C-8sr](#)  
[C-8att](#)

9. [06-0373](#) Recommendation to adopt resolution declaring the results of the Consolidated Primary Nominating Election (consolidated with the Long Beach Unified School District and the Long Beach Community College District) held in the City of Long Beach, California, on Tuesday, April 11, 2006, for the purpose of nominating and/or electing candidates for Mayor, City Attorney, City Auditor, and five (5) offices on the City Council from District Numbers 1, 3, 5, 7 and 9; and directing the City Clerk to place on the ballots to be used at the General Municipal Election to be held on the 6th day of June, 2006, the names of the candidates declared to have been nominated by the Primary Nominating Election; and directing the City Clerk to issue a Certificate of Election to the candidates declared to have been elected at the Primary Nominating Election;

**Suggested Action:** Approve recommendation.

**Attachments:** [C-9sr](#)  
[C-9att](#)

- [06-0374](#) Adopt resolution certifying the results of the Consolidated Primary Nominating Election held in the City of Long Beach, California, on Tuesday, April 11, 2006, for the purpose of nominating and/or electing candidates for three (3) offices on the Governing Board of the Long Beach Unified School District, and for three (3) offices on the Board of Trustees of the Long Beach Community College District;

**Attachments:** [C-9sr](#)  
[C-9att](#)

- [06-0375](#) Adopt resolution ordering, proclaiming, calling, giving notice of and providing for the holding of a General Municipal Election to be held in the City of Long Beach on Tuesday, the 6th day of June, 2006, for the election of Mayor and City Councilmembers from the Third and Fifth Council Districts, each for a full term of four (4) years commencing with the third Tuesday of July, 2006; designating the ballot listing of the candidates to be voted on; and adopting provisions relating to the translations of and the charges for costs of candidate statements; and

**Suggested Action:** Approve recommendation.

**Attachments:** [C-9sr](#)  
[C-9att](#)

06-0376

Adopt resolution ordering, proclaiming, calling, giving notice of and providing for the holding of a General Municipal Election to be held in the City of Long Beach on Tuesday, the 6th day of June, 2006, for the election of Governing Board Member of the Long Beach Unified School District Area 5 for a full term of four (4) years commencing with the third Monday of July, 2006; designating the ballot listing of the candidates to be voted on; and adopting provisions relating to the translations of and the charges for costs of candidate statements.

**Office or Department:** CITY CLERK

**Suggested Action:** Approve recommendation.

**Attachments:** [C-9sr](#)  
[C-9att](#)

10. 06-0349

Recommendation to adopt Specifications No. PA-01006 and award a contract to Aqua-Flo Supply for furnishing and delivering sprinkler and irrigation materials, in the estimated amount of \$130,000 for the period of one year, with the option to renew for two additional one-year periods, at the discretion of the City Manager. (Citywide)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

**Attachments:** [C-10sr](#)

11. [06-0351](#)

Recommendation to authorize City Manager to execute a grant agreement and a food donation agreement with the California Department of Education (CDE) for the 2006 Summer Food Service Program;

Authorize City Manager to execute an agreement with the Long Beach Unified School District (LBUSD) for food preparation for the 2006 Summer Food Program;

Authorize City Manager to execute sponsor/site agreements with the agencies listed on Exhibit A; and

Authorize City Manager to accept funds, implement, amend, and administer the agreements for the program. (Districts 1,2,4,6,7,8,9 and portions of Signal Hill)

[see media](#)

**Office or Department:** PARKS, RECREATION AND MARINE

**Suggested Action:** Approve recommendation.

**Attachments:** [C-11sr](#)  
[C-11att](#)

12. [06-0352](#)

Recommendation to authorize the Department of Planning and Building to process a refund in the amount of \$252,874 to The Olson Company in accordance with Long Beach Municipal Code Section 3.48.040.

[see media](#)

**Office or Department:** PLANNING AND BUILDING

**Suggested Action:** Approve recommendation.

**Attachments:** [C-12sr](#)

**REVISED**

13. [06-0353](#) Recommendation to authorize City Manager to execute a contract with Intercept, Inc. for pre-employment polygraph examination services at an estimated cost of \$150,000. The term of the contract will be for one year with the option for two additional one-year extensions, which will be executed at the discretion of the City Manager. (Citywide)
- [see media](#)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.
- Attachments:** [C-13sr](#)
14. [06-0354](#) Recommendation to authorize City Attorney to accept an easement deed for the widening of the alley east of Gaviota Avenue and north of Fourteenth Street adjacent to 1474 and 1476 Gaviota Avenue. (District 6)
- Office or Department:** PUBLIC WORKS
- Suggested Action:** Approve recommendation.
- Attachments:** [C-14sr](#)  
[C-14att](#)
15. [06-0355](#) Recommendation to receive and file minutes of:  
Harbor Commission - April 10, 2006.  
Water Commission - March 16, 2006.
- Office or Department:** VARIOUS
- Suggested Action:** Approve recommendation.
- Attachments:** [C-15sr](#)
16. [06-0370](#) Recommendation to approve Proclamation presented for Asthma Awareness Day, May 2, 2006.
- Office or Department:** LEGISLATIVE
- Suggested Action:** Approve recommendation.
- Attachments:** [C-16sr](#)  
[asthma handouts.pdf](#)  
[asthma pamphlets.pdf](#)



## REGULAR AGENDA

### DEPARTMENTAL COMMUNICATIONS:

17. [06-0371](#) Recommendation to approve interim appointments to the Standing Committees, Authorities and Memberships.  
[see media](#)  
**Office or Department:** MAYOR BEVERLY O'NEILL  
**Suggested Action:** Approve recommendation.  
**Attachments:** [R-17sr](#)  
[R-17att](#)
18. [06-0364](#) Recommendation to request City Attorney prepare an ordinance extending the Belmont Shore news rack pilot program for an additional year.  
[see media](#)  
**Office or Department:** COUNCILMEMBER FRANK COLONNA, THIRD DISTRICT  
**Suggested Action:** Approve recommendation.  
**Attachments:** [R-18sr](#)
19. [06-0365](#) Recommendation to request City Manager to identify funding sources and potential locations to address the needs of the East Division Station as well as other citywide public safety facility needs.  
[see media](#)  
**Office or Department:** COUNCILMEMBER PATRICK O'DONNELL, FOURTH DISTRICT  
**Suggested Action:** Approve recommendation.  
**Attachments:** [R-18sr](#)

20. [06-0367](#) Recommendation to request City Manager to conduct a study session for the City Council on Department of Planning and Building efforts to improve the development, design approval, permit, plan check and inspection process.

[see media](#)

**Office or Department:** COUNCILMEMBER PATRICK O'DONNELL,  
FOURTH DISTRICT

**Suggested Action:** Approve recommendation.

**Attachments:** [R-20sr](#)

21. [06-0369](#) Recommendation to request the Planning Commission to hold an additional public hearing meeting in the evening before taking action on the Long Beach Airport Terminal Area Improvement Project Environmental Impact Report; and

Request City Manager to defer placing on the City Council agenda any action items related to the Long Beach Airport terminal improvements until a subsequent City Council meeting from when any appeal of the EIR may be considered.

[see media](#)

**Office or Department:** COUNCILWOMAN RAE GABELICH, EIGHTH  
DISTRICT

**Suggested Action:** Approve recommendation.

**Attachments:** [R-21sr](#)

22. [06-0372](#) Recommendation to receive and file report on the League of California Cities Legislative Conference.

[see media](#)

**Office or Department:** COUNCILMEMBER TONIA REYES URANGA,  
SEVENTH DISTRICT

**Suggested Action:** Approve recommendation.

**Attachments:** [R-22sr](#)

23. [06-0358](#)

Recommendation to receive and file presentation by the Long Beach International Trade Office. (Citywide)

[see media](#)

**Office or Department:** COMMUNITY DEVELOPMENT

**Suggested Action:** Approve recommendation.

**Attachments:** [R-23sr](#)  
[R-23att](#)  
[handouts.pdf](#)

24. [06-0359](#)

Recommendation to receive and file the application of Chipotle Mexican Grill Incorporated, dba Chipotle Mexican Grill, for an original Alcoholic Beverage Control License, at the northeast corner of Ximeno Avenue and Atherton Street, with conditions. (District 4)

[see media](#)

**Office or Department:** POLICE

**Suggested Action:** Approve recommendation.

**Attachments:** [R-24sr](#)  
[R-24att](#)  
[ABC conditions.pdf](#)

25. [05-2517](#)

Recommendation to request City Attorney to prepare an ordinance amending Section 10.28.130 of the Long Beach Municipal Code to change the operating days and hours for parking meter zones 19 - 25 to Monday through Sunday, including holidays, during the hours of 9 a.m. to 9 p.m. (District 2)

[see media](#)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

**Attachments:** [C-9sr.pdf](#)  
[R-25sr](#)  
[R-25att](#)

26. [06-0360](#) Recommendation to adopt Plans and Specifications No. R-6703 for the Citywide Local Street Program Area 5; authorize City Manager to award the contract to Palp, Inc., dba Excel Paving Company, in an estimated amount of \$1,468,235, plus a 25 percent contingency amount, if necessary; and execute all necessary documents related to the contract. (Districts 1,2,3,4,5)

[see media](#)

**Office or Department:** PUBLIC WORKS

**Suggested Action:** Approve recommendation.

**Attachments:** [R-26sr](#)  
[R-26att](#)

**ORDINANCES:**

27. [06-0362](#) Recommendation to declare ordinance adding Chapter 3.92 to the Long Beach Municipal Code relating to the establishment of a Housing Trust Fund read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

[see media](#)

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

**Attachments:** [ORD-27sr](#)  
[ORD-27att](#)  
[UB-28 sr.pdf](#)  
[UB-28 att.pdf](#)

28. [06-0305](#) Recommendation to declare ordinance amending Long Beach Municipal Code Section 16.08.990, relating to marina refunds, read and adopted as read. (Citywide)

[see media](#)

**Office or Department:** FINANCIAL MANAGEMENT

**Suggested Action:** Approve recommendation.

**Attachments:** [ORD-48sr](#)  
[ORD-48att](#)  
[ORD-28att](#)

**REVISED**

29. [06-0299](#) Recommendation to declare ordinance amending the zoning designation of the site from Institutional (I) and Medium Industrial (IM) to Park (P) and Community Commercial Automobile Oriented District (CCA), read and adopted as read.

[see media](#)

**Office or Department:** PLANNING COMMISSION; PLANNING AND BUILDING

**Suggested Action:** Approve recommendation.

**Attachments:** [H-1sr](#)  
[ORD-29att](#)

**NEW BUSINESS:**

New Business items are additions to the City Council Agenda subsequent to the posting of the agenda on Thursday afternoon.

30. [06-0383](#) Recommendation that City Council direct City Manager to formally oppose the proposed legislation [SB 1507 (Margett)], as well as any other bills that would restructure the Metropolitan Transportation Authority's (MTA) Board of Directors without a local consensus.

[see media](#)

**Office or Department:** COUNCILMEMBER BONNIE LOWENTHAL,  
FIRST DISTRICT

**Suggested Action:** Approve recommendation.

**Attachments:** [NB-30sr](#)

31.

32.

**PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT**

Opportunity is given to those members of the public who have not addressed the City Council on non-agenda items. Each speaker is limited to three minutes unless extended by the City Council.

**STANDING COMMITTEE REMINDERS:**

Charter Amendment Committee at 3:00 P.M.

Economic Development and Finance Committee (Attorney/Client) at 4:30 P.M., Council Lounge.

May 8, 2006 – Economic Development and Finance Committee at 6:00 P.M.

**HEARING REMINDERS:**

May 9, 2006 – Hearing for a Permit for Entertainment Without Dancing at an existing restaurant, Joanne Punch, dba Caribbean Hut, 701 Pine Avenue. (District 1)

May 9, 2006 – Hearing for a Permit for Entertainment With Dancing at an existing restaurant, Moxie Partners Inc., dba SACHI, 6400 E. Pacific Coast Highway. (District 3)

May 9, 2006 – Hearing to consider amendments to the zoning ordinance regarding rezone change from Residential, Single Family (R-1-N) to Institutional (I), at 1401 W 34th Street (Case No. 0312-19). (District 7)

May 16, 2006 – Hearing for a Permit for Entertainment With Dancing, Cubimex Inc., dba Rhythm Lounge, at 245 Pine Avenue, Ste. 290. (District 2)

May 16, 2006 – Hearing for a Permit for Entertainment Without Dancing at an existing bar/tavern/lounge, MLOUKS LLC, dba The Bull Bar, at 3316 E. 7th Street. (District 2)

**NOTE:**

An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802.

The City Council agenda and supporting documents are available on the Internet at [www.longbeach.gov](http://www.longbeach.gov). Persons interested in obtaining an agenda via e-mail should subscribe to the City of Long Beach E-Notify System at <http://www.longbeach.gov/enotify/default.asp>.

Agenda items may also be reviewed in the City Clerk Department or the Plaza Level Information Desk of the Main Library and at Branch Libraries.

If language interpretation for non-English speaking persons is desired or if a special accommodation is desired pursuant to the Americans with Disabilities Act, please make your request by phone to the City Clerk Department at (562) 570-6101, by 12 noon Monday, the day prior to the Council meeting.

E-Mail correspondence regarding agenda items can be directed to [cityclerk@longbeach.gov](mailto:cityclerk@longbeach.gov).

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